

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

---

THE OTTER PROJECT and )  
ENVIRONMENTAL DEFENSE CENTER, )  
Plaintiffs, )  
v. )  
KEN SALAZAR, ROWAN GOULD, )  
UNITED STATES DEPARTMENT OF )  
THE INTERIOR, UNITED STATES FISH )  
& WILDLIFE SERVICE, )  
Defendants, )  
CALIFORNIA SEA URCHIN )  
COMMISSION, PETER HALMAY, )  
HARRY LIQUORNIK, CALIFORNIA )  
ABALONE ASSOCIATION, SONOMA )  
COUNTY ABALONE NETWORK, )  
Intervenor-Defendants. )

---

No. C 09-4610 JW

**STIPULATION AND [REDACTED]  
ORDER EXTENDING TIME TO  
ANSWER FIRST AMENDED  
COMPLAINT**

Pursuant to Civil L.R. 6-1(a), 6-2, and 7-12 this Stipulation is entered into by and between Plaintiffs, The Otter Project and Environmental Defense Center, Federal Defendants, Ken Salazar, Secretary of the United States Department of the Interior, Rowan Gould, Acting Stipulation Extending Time to Answer First Amended Complaint

Director of the U.S. Fish & Wildlife Service, the United States Department of the Interior, and the United States Fish & Wildlife Service, and Intervenor-Defendants, California Sea Urchin Commission, Peter Halmay, Harry Liquornik, California Abalone Association, and Sonoma County Abalone Network.

WHEREAS, on May 5, 2010, the Court denied Federal Defendants' motion to dismiss the First Amended Complaint (Doc. No. 42);

WHEREAS, Defendants' Answer to the First Amended Complaint, pursuant to Fed. R. Civ. P. 12(a)(4) and 6(d), would therefore be due May 24, 2010;

WHEREAS, counsel for Federal Defendants will be out of the country on honeymoon from May 14, 2010 to May 26, 2010;

11 WHEREAS, one previous extension of ten days to answer has been granted, Doc. No. 18;

NOW, THEREFORE, the parties stipulate as follows:

1. Defendants shall answer the First Amended Complaint by June 3, 2010.

May 13, 2010

Respectfully Submitted,

/s/ Linda J. Krop (by LEF as authorized on  
5/13/10)

Linda J. Krop (Cal. Bar. No. 118773)  
Brian Segee (Cal. Bar No. 200795)  
Environmental Defense Center  
906 Garden Street  
Santa Barbara, CA 93101  
Tel: (805) 963-1622  
Fax: (805) 962-3152  
email: bsegee@edcnet.org, lkop@edcnet.org

Attorneys for Plaintiffs

IGNACIA S. MORENO, Asst. Attorney General  
JEAN E. WILLIAMS, Section Chief

/s/ *Lawson E. Fite*

LAWSON E. FITE, Trial Attorney  
Oregon Bar No. 055573  
U.S. Department of Justice  
Environment & Natural Resources Division  
Wildlife & Marine Resources Section  
Ben Franklin Station  
P.O. Box 7369  
Washington, DC 20044-7369  
Phone: (202) 305-0217  
Fax: (202) 305-0275  
Email: lawson.fite@usdoj.gov

## Attorneys for Federal Defendants

/s/ George J. Mannina, Jr.(by LEF, as authorized  
5/13/10)

George J. Mannina, Jr.  
George J. Mannina, Jr. (D.C. Bar No. 316943)  
*Pro hac vice*  
NOSSAMAN LLP  
1666 K St., N.W., Suite 500  
Washington, D.C. 20006  
(202) 887-1400  
Fax: (202) 466-3215  
gmannina@nossaman.com

## Attorneys for Intervenor-Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 17, 2010

James W. Robart  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THE OTTER PROJECT, et al., )  
Plaintiffs, ) No. C 09-4610 JW  
v. )  
KEN SALAZAR, et al., )  
Defendants, )  
CALIFORNIA SEA URCHIN )  
COMMISSION, et al., )  
Intervenor-Defendants. )

I hereby certify that on May 13, 2010, I electronically filed the foregoing STIPULATION EXTENDING TIME TO ANSWER with the Clerk of the Court using the CM/ECF system, which will send notification of such to the attorneys of record.

*/s/ Lawson E. Fite*

LAWSON E. FITE